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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/775,626	02/05/2001	Takeshi Katayama	Q61668	8346

7590 05/18/2004

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EXAMINER

SAIN, GAUTAM

ART UNIT	PAPER NUMBER
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2176

DATE MAILED: 05/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/775,626

Applicant(s)

KATAYAMA ET AL.

Examiner

Gautam Sain

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 February 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1) The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2) **Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Warmus et al (US 6332149, filed Feb 1997), in view of Adobe PageMaker (copyright 1996)(hereinafter "PageMaker").**

Regarding claims 1, 11, Warmus teaches "... creating dummy parts data for the unreceived parts data" (ie. template ... insert a dummy picture file; first template file, second template file)(col 12, lines 1-22; summary).

Warmus teaches "creating dummy page ... page allocated ... parts data" (ie., template file created for each section of a book ... image is positioned at the upper-left hand corner)(col 11, line 62 – col 12, lines 35).

Warmus generally teaches, but PageMaker specifically teaches "replacing ... received parts data ... " (ie., replacing text and graphics with new text and graphics)(page 60 – 61).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Warmus to specifically include replacing text and graphics with new text and graphics as taught by PageMaker, providing the benefit of reproducing master and variable information on a display device or a printer (Warmus, Abstract section).

Regarding claims 2, 12, Warmus teaches "... providing first information with the dummy parts data, ... replacing the dummy data ..." (ie., template ... variable information... current cursor ... appropriate field in database)(col 11, line 65 – col 12, line 20).

Regarding claims 3, 13, Warmus teaches "... folder and a file ... stored" (ie., print system; template files; storage medium)(col 11, line 45; col 12, line 39-42; Figure 12 shows a folder organizing mechanism).

Regarding claims 4, 14, Warmus teaches "parts data ... includes the first information" (ie., fixed information, template pages, variable information)(col 4, lines 1 – 15).

Regarding claims 5, 15, Warmus teaches "performing ... plate face data" (ie., template data having master file and variable file)(summary, col 3-4)(ie., dummy picture file)(col 11, line 62 – col 12, line 23).

Regarding claims 6, 16, Warmus teaches "... providing second information ... plate face data ..." (ie., second template pages with variable information)(col 4, lines 1 – 20).

Regarding claim 7, 17, Warmus teaches "... data indicating a file and a page number ... stored" (ie., PDL file containing page description)(col 4, lines 1- 20).

Regarding claim 8, 18, Warmus teaches "... printing ..." (ie., printing data ... second template ...)(summary).

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Regarding claims 9, 19, Warmus teaches "... inputting an instruction ... received" (ie., user input prompted to enter ... variable information ... select first page)(col 13, lines 30-45).

Regarding claims 10, 20, Warmus teaches "terminating process ... has not been inputted" (ie., ... determines that all images have been processed ... until images in the template files)(col 13, line 66 – col 14, line 40).

Regarding claim 21, Warmus teaches "creates dummy parts ... allocated for the unreceived parts data "(ie. template ... insert a dummy picture file; first template file, second template file)(col 12, lines 1-22; summary)(ie., template file created for each section of a book ... image is positioned at the upper-left hand corner)(col 11, line 62 – col 12, lines 35).

Warmus generally teaches, but PageMaker specifically teaches "replaces ... dummy parts data ... information " (ie., replacing text and graphics with new text and graphics)(page 60 – 61).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Warmus to specifically include replacing text and graphics with new text and graphics as taught by PageMaker, providing the benefit of reproducing master and variable information on a display device or a printer (Warmus, Abstract section).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gautam Sain whose telephone number is 703-305-8777. The examiner can normally be reached on M-F 9-5 EST.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on (703)305-9792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Gautam Sain



JOSEPH FEILD
SUPERVISORY PATENT EXAMINER